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LETTER DATED 18 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Since the so-called Lockerbie affair first surfaced in late 1991 with the indictment of two Libyan nationals on charges of having blown up Pan Am flight 103 over Lockerbie in 1988, Libya has always expressed its readiness to cooperate with the other parties involved in seeking a solution with a view to establishing the truth and identifying those responsible for committing this crime.

The reason for the delay in reaching a solution is that the other parties concerned have refused to cooperate with Libya, have rejected all of the options proposed by the relevant international and regional organizations for resolving the issue and have insisted on laying down conditions and imposing sanctions in what they believed to be the way for them to achieve objectives that did not include ascertaining the truth or mitigating the suffering of the families of the victims or securing justice for them.

With the sustained international support for Libya's stance and with the International Court of Justice, in its two Judgments of 27 February 1998, having established that the Libyan position to the effect that the Court had jurisdiction to consider the case was correct and legally sound, the other parties, having long rejected it, no longer had any choice but to accept the proposal of the international and regional organizations already approved by Libya that the two suspects should be brought to trial before a Scottish court in a neutral country.

This led to the agreement on the conduct of a Scottish trial in the Netherlands, to the arrival of the suspects to appear before the court on 5 April 1999 and to the suspension by the Security Council, on the same day, of the measures imposed on Libya under Security Council resolutions 748 (1992) and 883 (1993).

As it had itself decided, the Security Council was to have rescinded the measures imposed on Libya 90 days after the arrival of the suspects and on receipt of a report from the Secretary-General. Although this period of time has elapsed and the Council has received the Secretary-General's report (S/1999/726), the Council has been unable to rescind these measures because of a

threat by the United States to use its veto against any resolution submitted to the Council for that purpose.

In contrast, Libya has continued to comply with the undertaking it gave to cooperate with the Scottish court in the Netherlands, as is demonstrated by the press release issued by the United Kingdom Foreign and Commonwealth Office on 4 November 1999 (see annex). It conveys the gratitude of Her Majesty's Government for the arrangements made by the Libyan authorities for the visit to Libya from 18 October to 4 November 1999 of a team from the Dumfries and Galloway Constabulary to carry out investigations in relation to the Lockerbie case.

Libya urges the other parties to abide by the undertakings they have given and to discharge the obligations imposed on them by the relevant Security Council resolutions with respect to cooperation with the Scottish court in the Netherlands, and it once again calls upon the Security Council to rescind, fully and immediately, the measures imposed on Libya under its resolutions 748 (1992) and 883 (1993).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Permanent Representative

Annex

FOREIGN AND COMMONWEALTH OFFICE

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Press Release

In response to an official Letter of Request issued by the High Court of Justiciary in Scotland, the Libyan Judicial Authorities agreed to a visit by a team from the Dumfries and Galloway Constabulary. The team visited Libya from 12 October to 4 November to carry out investigations in relation to the Lockerbie case.

Her Majesty's Government is grateful for the arrangements which were made by the Libyan judicial authorities in response to this Letter of Request.

Foreign and Commonwealth Office
4 November 1999